

67 REQUEST FOR CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000.

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

AUG 23 2004

Application Number:

09/854,978

Filing Date:

May 14, 2001

First Named Inventor:

Lekuch et al.

Group Art Unit:

2174

Examiner Name:

A.M. Lewis

Attorney Docket Number:

YOR920000702US3

Confirmation No.:

9085

CUSTOMER NO.:

27623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

i. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_ (any unentered amendment(s) referred to above will be entered).

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on \_\_\_\_\_

iii. Other \_\_\_\_\_

b. XXXX Enclosed

i. XXXXX Amendment/Reply

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS) and PTO-1449

iv. Other \_\_\_\_\_

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

b. Other \_\_\_\_\_

3. Fees The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

a. XXXX The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-0513.

i. XXXXX RCE fee (\$770.00) required under 37 C.F.R. §1.17(e)

ii. Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. Other \_\_\_\_\_

b. Check in the amount of \$ \_\_\_\_\_ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

RECEIVED

AUG 26 2004

August 19, 2004  
Date of Signature

Robert R. Hubbard

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 19, 2004.

Joanne A. Romaniello  
NAME

Joanne A. Romaniello  
SIGNATURE

8/19/04  
DATE